

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARLENE V. MAIRENA, through her
conservator, MARIA C. MAIRENA,

Plaintiff,

vs.

ENTERPRISE RENT-A-CAR HOSPITAL
INSURANCE PLAN., ENTERPRISE RENT-A-
CAR COMPANY, UNITED HEALTHCARE
INSURANCE CO., INGENIX DOES 1-100,

Defendants

Case No.: 09-04420-MEJ

NOTICE OF STIPULATED DISMISSAL OF
ALBERT G. STOLL, JR.

Pursuant 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendants, ENTERPRISE RENT-A-CAR HOSPITAL INSURANCE PLAN., ENTERPRISE RENT-A-CAR COMPANY voluntarily dismiss Third Party Defendant ALBERT G. STOLL, JR based on the following stipulation. Plaintiff / Counter-Defendant, Third Party Defendants, ALBERT G. STOLL, JR and DARLENE V. MAIRENA, through her conservator, MARIA C. MAIRENA, agree that ALBERT G. STOLL, JR. will continue to hold the disputed funds to the final conclusion of the case, including resolution of any and all appeals, if such are filed. Additionally, no arguments will be made that ENTERPRISE RENT-A-CAR HOSPITAL INSURANCE PLAN and ENTERPRISE RENT-A-CAR COMPANY have not sued a necessary party to this action or that DARLENE V. MAIRENA does not have constructive possession of the disputed funds, as a result of the fact that ALBERT G. STOLL, JR. has possession of the disputed funds. Additionally, ALBERT G. STOLL, JR. agrees that he and his firm will be bound by any final judgment in this matter with respect to the appropriate disposition of the funds at issue.

STIPULATED.

ATTORNEYS FOR PLAINTIFF /
COUNTER-DEFENDANT, THIRD PARTY
DEFENDANTS

NOTICE OF DISMISSAL Case No. 09-04420-MEJ

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2 Dated: December 2, 2009



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20 Dated:



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